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11 **Attorneys for Defendant, BERK ERATAY**

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 \* \* \* \* \*

10 **UNITED STATES OF AMERICA,** )  
11 )  
12 **Plaintiff,** ) **CASE NO. 2:22-mj-00433-VCF**  
13 **v.** )  
14 **BERK ERATAY,** )  
15 **Defendant,** )  
16 \_\_\_\_\_ )

17 **STIPULATION TO WAIVE DEFENDANT'S IDENTITY AND REMOVAL HEARING**  
18 **SCHEDULED FOR JULY 8, 2022, AND TO VACATE HEARING ON COUNSEL'S**  
19 **MOTION TO WITHDRAW**

19 **IT IS HEREBY STIPULATED AND AGREED**, by and between Jason Frierson, United  
20 States Attorney, and Kimberly Frayn, Assistant United States Attorney, counsel for the United States  
21 of America; and David Chesnoff, Esq., and Richard Schonfeld, Esq. counsel for Defendant Berk  
22 Eratay, that the Court accept this Stipulation as Defendant's waiver of an identity hearing and  
23 removal hearing in the State of Nevada. The Parties further stipulate that the Court should vacate  
24 the identity and removal hearing set on July 8, 2022. Finally, the parties stipulate that in light of the  
25 Defendant waiving his identity and removal hearing, that counsel Chesnoff & Schonfeld's Motion  
26 to Withdraw is rendered moot as they have only made an appearance in the District of Nevada and  
27  
28

1 this case will be now be closed. Accordingly, the hearing scheduled for July 8, 2022, at 11:00am  
2 should be vacated.

3 This Stipulation is entered for the following reasons:

- 4
- 5 1. Defendant Eratay has retained counsel in the District of Vermont;
  - 6 2. Defendant Eratay's Vermont counsel has advised counsel Chesnoff that the  
7 Defendant would like to waive his identity and removal hearing;

8 Dated this 16<sup>nd</sup> day of June, 2022.

9 /s/ Kimberly Frayn

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/s/ Richard A. Schonfeld

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11 **Attorneys for Defendant, BERK ERATAY**

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 \* \* \* \* \*

15 **UNITED STATES OF AMERICA,** )  
16 )  
17 **Plaintiff,** )  
18 ) **CASE NO. 2:22-mj-00433-VCF**  
19 **v.** )  
20 )  
21 **BERK ERATAY,** ) ~~PROPOSED~~ **ORDER ON**  
22 ) **STIPULATION TO WAIVE DEFENDANT'S**  
23 **Defendant,** ) **IDENTITY AND REMOVAL HEARING**  
24 ) **SCHEDULED FOR JULY 8, 2022, AND TO**  
25 ) **VACATE HEARING ON COUNSEL'S**  
26 ) **MOTION TO WITHDRAW**

27 Based on the stipulation of counsel, good cause appearing, and the best interest of justice  
28 being served:

29 **IT IS ORDERED** that Defendant has waived his Identity and Removal Hearing in the  
30 District of Nevada, which was set for July 8, 2022.

31 **IT IS FURTHER ORDERED** that the hearing on counsel David Chesnoff and Richard  
32 Schonfeld's Motion to Withdraws as Counsel is denied as Moot, given that said counsel has only  
33 appeared in the District of Nevada and this case will now be closed.

1           **IT IS FURTHER ORDERED THAT THE** hearings scheduled for June 24, 2022, at  
2 11:00am and July 8, 2022, at 11:00am are hereby vacated.

3           **IT IS SO ORDERED.**

4           **DATED** this 17th day of June, 2022.

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7 **HONORABLE CAM FERENBACH**  
8 **UNITED STATES MAGISTRATE JUDGE**  
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